

**SENATE FINANCE COMMITTEE - 2017 BUDGET RECAP SHEET**

**Tuesday May 23, 2017**

	Contact	SOF	FY 2018	FY 2019	Total
<b>HB 144 AMENDMENTS</b>					
HB1 Estimates of Unrestricted Revenue (Amendment 1570s)	Sen. Daniels	N/A			
DHHS - Rate Increases Providers	Sen. Morse	G	\$700,000	\$700,000	\$1,400,000
		F	(\$1,300,000)	(\$1,300,000)	(\$2,600,000)
DHHS - Budget footnote concerning rate increases	Sen. Morse	N/A	0	0	\$0
DHHS - Medicaid Benefit for Children with Severe Emotional Disturbances (See Amendment 1951s below)	Sen. Morse	G	(\$1,500,000)	(\$1,500,000)	(\$3,000,000)
		F	(\$1,500,000)	(\$1,500,000)	(\$3,000,000)
		G	\$0	\$2,673,443	\$2,673,443
		F	\$0	\$2,673,443	\$2,673,443
DHHS - Source of Funds Change - Child Protective Service Workers	Sen. Morse	F	(\$2,000,000)	(\$2,000,000)	(\$4,000,000)
		G	\$2,000,000	\$2,000,000	\$4,000,000
DHHS - Appropriation for State Loan Repayment Program	Sen. Reagan	G	\$340,000	\$340,000	\$680,000
Community Mental Health - Rate Increases	Sen. Bradley (Sen. Feltes requested it be held on Friday)	G	\$1,250,000	\$1,250,000	\$2,500,000
DHHS - Domestic Violence Crisis Centers	Senators D'Allesandro & Feltes	G	\$500,000	\$500,000	\$1,000,000
DHHS - STD Testing and Prevention	Senators D'Allesandro & Feltes	G	\$200,000	\$200,000	\$400,000
Business and Economic Affairs - Appropriation for Travel & Tourism	Sen. Daniels	G	\$1,000,000	\$1,000,000	\$2,000,000
Corrections - Funding of Corrections Officers, and Nurses	Senators D'Allesandro & Feltes	G	\$946,970	\$1,154,040	\$2,101,010
Judicial Branch (Adding 33rd Circuit Court Justice in FY 2019)	Sen. Morse	G	\$0	\$308,162	\$308,162

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	Contact	SOF	FY 2018	FY 2019	Total
Judicial Council Budget (Civil Legal Services Fund)	Sen. Morse	G	(\$150,000)	(\$150,000)	(\$300,000)
<b>HB 517 AMENDMENTS</b>					
DHHS - Mental Health Medical Supervisor (Amendment 1851s (Section 13))	Sen. Morse	N/A	\$0	\$0	\$0
DHHS - Family Planning Contracts (Amendment 1968s)	Sen. Giuda	N/A	\$0	\$0	\$0
DHHS - Reproductive Health Facilities; Funding Restriction (Amendment 1959s)	Sen. Bradley	N/A	\$0	\$0	\$0
DHHS - Home and Community Based Behavioral Health Services for Children (Amendment 1951s)	Sen. Morse	N/A	\$0	\$0	\$0
DHHS - Funding of Operational Costs of the Sununu Youth Services Center (Amendment 1958s replaces HB144 footnote adopted Friday, 5-19-17)	Sen. Morse	N/A	\$0	\$0	\$0
DHHS - Home Health Rate Setting (Amendment 1913s)	Sen. Daniels	N/A	\$0	\$0	\$0
DHHS - Funeral Expenses (Amendment 1948s)	Sen. Giuda	N/A	\$0	\$0	\$0
DHHS / Corrections - Unfunded Positions (Amendment 1954s)	Sen. Giuda	N/A	\$0	\$0	\$0
DHHS - Foster Grandparent Program - Fund in HB144 (Amendment 1738s)	Sen. D'Allesandro	G	\$100,000	\$100,000	\$200,000
DHHS - Congregate Housing Program - Fund in HB144 (Amendment 1738s)	Sen. D'Allesandro	G	\$750,000	\$750,000	\$1,500,000
DHHS - Review by Oversight Committee (Amendment 1923s)	Sen. Feltes - Held fom Friday	N/A	\$0	\$0	\$0
DHHS - Medicaid Managed Care Prior Authorization (Amendment 1944s)	Sen. Feltes	N/A	\$0	\$0	\$0
Administrative Procedures Act (Amendment 1935s)	Sen. Reagan	N/A	\$0	\$0	\$0
Education - Charter Public School Program Officer (Amendment 1967s)	Sen. Daniels	N/A	\$0	\$0	\$0
Environmental Services - Implementation of Drinking Water and Groundwater Protection (Amendment 1960s)	Sen. Morse	N/A	\$0	\$0	\$0
Judicial Branch - Reimbursement of Sheriffs (Amendment 1670s)	Sen. Morse	N/A	\$0	\$0	\$0
Judicial Branch - Judicial Appointments; Number Limited (Amendment 1972s)	Sen. Daniels	N/A	\$0	\$0	\$0
Office of Professional Licensure - Regulation of Pharmacies; Price of Filling Prescriptions (Amendment 1719s)	Sen. Reagan	N/A	\$0	\$0	\$0

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	Contact	SOF	FY 2018	FY 2019	Total
Office of Professional Licensure - Controlled Drug Prescription Health & Safety Program (Amendment 1952s replaces amendment 1785s adopted 5/16/17)	Sen. Giuda	N/A	\$0	\$0	\$0
Secretary of State - Auctioneers; Rulemaking (Amendment 1934s)	Sen. Reagan	N/A	\$0	\$0	\$0
Transportation / Liquor Commission; Feasibility Study (Amendment 1969s)	Sen. Morse	N/A	\$0	\$0	\$0
Transportation - Highway; Definition (Amendment 1964s)	Sen. Giuda	N/A	\$0	\$0	\$0
Transportation - Highway; Definition (Amendment 1971s)	Sen. Giuda	N/A	\$0	\$0	\$0
Transportation - Town of Ossipee (Amendment 1876s)	Sen. Bradley	N/A	\$0	\$0	\$0
Business and Economic Affairs - New Hampshire College Graduate Retention Incentive Partnership (NHGRIP) (Amendment 1800s)	Sen. Feltes	G	\$30,000	\$15,000	\$45,000

Draft Amendment to HB 144

1 Amend the bill by replacing section 7 with the following:

2

3 7 Estimates of Unrestricted Revenue.

4 GENERAL FUND	<u>FY 2018</u>	<u>FY 2019</u>
5 BUSINESS PROFITS TAX	\$329,700,000	\$341,100,000
6 BUSINESS ENTERPRISE TAX	<u>82,100,000</u>	<u>84,900,000</u>
7 SUBTOTAL BUSINESS TAXES	\$411,800,000	\$426,000,000
8 MEALS AND ROOMS TAX	319,300,000	335,800,000
9 TOBACCO TAX	120,400,000	120,400,000
10 TRANSFER FROM LIQUOR	145,000,000	148,400,000
11 INTEREST AND DIVIDENDS TAX	98,000,000	99,000,000
12 INSURANCE	115,000,000	116,000,000
13 COMMUNICATIONS TAX	45,600,000	43,300,000
14 REAL ESTATE TRANSFER TAX	107,400,000	111,500,000
15 COURT FINES & FEES	13,100,000	13,000,000
16 SECURITIES REVENUE	45,800,000	46,500,000
17 UTILITY CONSUMPTION TAX	6,000,000	6,000,000
18 BEER TAX	13,200,000	13,200,000
19 OTHER REVENUES	78,000,000	76,500,000
20 MEDICAID RECOVERIES	<u>9,100,000</u>	<u>9,100,000</u>
21 TOTAL GENERAL FUND	\$1,527,700,000	\$1,564,700,000
22		
23 EDUCATION FUND	<u>FY 2018</u>	<u>FY 2019</u>
24 BUSINESS PROFITS TAX	\$67,500,000	\$69,900,000
25 BUSINESS ENTERPRISE TAX	<u>182,700,000</u>	<u>189,100,000</u>
26 SUBTOTAL BUSINESS TAXES	\$250,200,000	\$259,000,000
27 MEALS AND ROOMS TAX	9,900,000	10,400,000
28 TOBACCO TAX	94,600,000	94,600,000
29 REAL ESTATE TRANSFER TAX	50,600,000	52,500,000
30 TRANSFER FROM LOTTERY	75,000,000	75,000,000
31 TRANSFER FROM RACING		
32 & CHARITABLE GAMING	3,000,000	3,000,000

1	TOBACCO SETTLEMENT	35,000,000	35,000,000
2	UTILITY PROPERTY TAX	42,500,000	42,500,000
3	STATEWIDE PROPERTY TAX	<u>363,100,000</u>	<u>363,100,000</u>
4	TOTAL EDUCATION FUND	\$923,900,000	\$935,100,000
5			
6	HIGHWAY FUND	<u>FY 2018</u>	<u>FY 2019</u>
7	GASOLINE ROAD TOLL	\$125,900,000	\$125,900,000
8	MOTOR VEHICLE FEES	114,600,000	115,700,000
9	MISCELLANEOUS	<u>600,000</u>	<u>600,000</u>
10	TOTAL HIGHWAY FUND	\$241,100,000	\$242,200,000
11			
12	FISH AND GAME FUND	<u>FY 2018</u>	<u>FY 2019</u>
13	FISH AND GAME LICENSES	\$9,600,000	\$9,600,000
14	FINES AND MISCELLANEOUS	<u>1,800,000</u>	<u>1,800,000</u>
15	TOTAL FISH AND GAME FUND	\$11,400,000	\$11,400,000

LBA						
05/22/17						
<b>HB 144 Amendment</b>						
<b>Senator Morse</b>						
<b>Department:</b>	Department of Health and Human Services					
<b>Accounting Unit:</b>	05-95-95-9500-5000 (Commissioner's Office)					
	Fund rate increases to the following service providers: public guardians; DCYF in- and out-of-state residential providers; CFI mid-level residential, case management, and home support (excluding personal care); Elderly and Adult non-Medicaid service providers of meals, transportation, in-home care, nursing care, adult day care, and legal services; and early intervention services. (See attached budget footnote.)					
	<b>FY 2018</b>			<b>FY 2019</b>		
<b>Expenditure Class</b>	<b>HB 144 (HB 1 Intro)</b>	<b>Change</b>	<b>Revised Budget</b>	<b>HB 144 (HB 1 Intro)</b>	<b>Change</b>	<b>Revised Budget</b>
			-			-
101 Medical Payments to Providers	10,000,000	(600,000)	9,400,000	10,000,000	(600,000)	9,400,000
<b>TOTAL</b>	<b>10,000,000</b>	<b>(600,000)</b>	<b>9,400,000</b>	<b>10,000,000</b>	<b>(600,000)</b>	<b>9,400,000</b>
<b>Source of Funds</b>						
GENERAL FUND	5,000,000	700,000	5,700,000	5,000,000	700,000	5,700,000
000 - FEDERAL FUNDS	5,000,000	(1,300,000)	3,700,000	5,000,000	(1,300,000)	3,700,000
<b>TOTAL</b>	<b>10,000,000</b>	<b>(600,000)</b>	<b>9,400,000</b>	<b>10,000,000</b>	<b>(600,000)</b>	<b>9,400,000</b>

**Senator Morse**

**Proposed class note for accounting unit 05-95-95-9500-5000, class 101**

From the amounts appropriated herein, the Department shall utilize the following amounts to provide rate increases to providers:

- \$3,000,000 (50% general funds, 50% federal funds) in each year of the biennium to provide a one-time rate increase of up to 5% over the rates in place on June 30, 2017, for services paid out of accounting unit 05-95-47-4700-3413, classes 505 and 506, except for personal care services. These funds shall not be used to provide a rate increase for providers of services paid out of class 529, Home Health Services.
- \$900,000 (100% general funds) in each year of the biennium to provide a one-time rate increase of up to 5% for elderly and adult non-Medicaid services paid out of accounting unit 05-95-48-4810-7872, classes 512, 540, 541, 544, and 570, as well as accounting unit 05-95-48-4810-9255, classes 544 and 566.
- \$2,200,000 (50% general funds, 50% federal funds) in each year of the biennium to provide a one-time rate increase of up to 5% over the "board and care" and "board and care and education" rates in place on June 30, 2017 for DCYF residential providers, paid out of accounting unit 05-95-42-4210-2958.
- \$1,100,000 (100% general funds) in each year of the biennium to provide a one-time rate increase for public guardian services paid out of accounting unit 05-95-92-9220-4114, not to exceed a total rate of \$7.00 per diem.
- \$2,200,000 (50% general funds, 50% federal funds) in each year of the biennium to provide a one-time increase to the early intervention (EI) bundled rate, not to exceed a total average rate of \$3,687 per child, per year.

**SENATE FINANCE COMMITTEE - 2017 BUDGET RECAP SHEET**

**Division of Behavioral Health**

	Contact	SOF	FY 2018	FY 2019	Total
<b><u>Section 21 - Medicaid Benefit for Children With Severe Emotional Disturbances.</u></b> Starting in FY19, require DHHS to amend the Medicaid state plan to establish a Medicaid benefit for children with severe emotional disturbances. Replaces action taken on Friday, 5-19-17. Fund in HB 144. See HB 517 amendment # 2017-1951s.	Sen. Morse	G	(\$1,500,000)	(\$1,500,000)	(\$3,000,000)
		F	(\$1,500,000)	(\$1,500,000)	(\$3,000,000)
		G	\$0	\$2,673,443	\$2,673,443
		F	\$0	\$2,673,443	\$2,673,443



LBA						
05/22/17						
<b>HB 144 Amendment</b>						
<b>Senator Morse</b>						
<b>Department:</b>	Department of Health and Human Services					
<b>Accounting Unit:</b>	05-95-42-421010-2957					
<b>Description:</b>	Fund Child Protective Service Workers with appropriate funding mix by increasing general funds by \$2 million and decreasing federal funds by \$2 million.					
	<b>FY 2018</b>			<b>FY 2019</b>		
<b>Expenditure Class</b>	<b>HB 144 (HB 1 Intro)</b>	<b>Change</b>	<b>Revised Budget</b>	<b>HB 144 (HB 1 Intro)</b>	<b>Change</b>	<b>Revised Budget</b>
<b>Source of Funds</b>						
007 - AGENCY INCOME	533	-	533	533	-	533
000 - FEDERAL FUNDS	12,970,187	(2,000,000)	10,970,187	13,294,657	(2,000,000)	11,294,657
GENERAL FUND	15,052,416	2,000,000	17,052,416	15,580,557	2,000,000	17,580,557
<b>TOTAL</b>	<b>28,023,136</b>	<b>-</b>	<b>28,023,136</b>	<b>28,875,747</b>	<b>-</b>	<b>28,875,747</b>

LBA						
05/22/17						
<b>HB 144 Amendment</b>						
<b>Senator Reagan</b>						
<b>Department:</b>	Department of Health and Human Services					
<b>Accounting Unit:</b>	05-95-90-9010-7965					
	Add \$340,000 per year of general funds to the state loan repayment program, which is used for mental health provider recruitment and retention.					
	<b>FY 2018</b>			<b>FY 2019</b>		
<b>Expenditure Class</b>	<b>HB 144 (HB 1 Intro)</b>	<b>Change</b>	<b>Revised Budget</b>	<b>HB 144 (HB 1 Intro)</b>	<b>Change</b>	<b>Revised Budget</b>
			-			-
073 Grants Non Federal	660,000	340,000	1,000,000	660,000	340,000	1,000,000
<b>TOTAL</b>	<b>660,000</b>	<b>340,000</b>	<b>1,000,000</b>	<b>660,000</b>	<b>340,000</b>	<b>1,000,000</b>
<b>Source of Funds</b>						
GENERAL FUND	250,000	340,000	590,000	250,000	340,000	590,000
009 - AGENCY INCOME	410,000	-	410,000	410,000	-	410,000
<b>TOTAL</b>	<b>660,000</b>	<b>340,000</b>	<b>1,000,000</b>	<b>660,000</b>	<b>340,000</b>	<b>1,000,000</b>

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**Division of Behavioral Health**

	Contact	SOF	FY 2018	FY 2019	Total
<b>Community Mental Health - Rate Increases</b>					
Appropriate \$1.25 million per year for the purpose of providing additional support to community mental health centers. Add a footnote to read as follows: "From the amounts appropriated herein, \$1,250,000 in each year of the biennium shall be used to increase salaries to help attract and retain clinical staff across the ten community mental health centers."	Sen. Feltes	G	\$1,250,000	\$1,250,000	\$2,500,000

**SENATE FINANCE COMMITTEE - 2017 BUDGET RECAP SHEET**

**Human Services**

	Contact	SOF	FY 2018	FY 2019	Total
<b>Domestic Violence Crisis Centers</b> Appropriate \$500,000/year for the purpose of funding domestic violence crisis centers.	Sen. Feltes / Sen. D'Allesandro	G	\$500,000	\$500,000	\$1,000,000
<b>Division of Public Health</b>					
<b>STD Testing and Prevention</b> Appropriate \$200,000/year to account 05-95-90-9025-7536, STD/HIV Prevention, and add the following footnote: "Of the amounts appropriated herein, \$200,000 per year shall be used to support and expand testing and referral community contracts in the NH STD program in Hillsborough, Merrimack, Rockingham, and Strafford counties."	Sen. D'Allesandro / Sen. Feltes	G	\$200,000	\$200,000	\$400,000

LBA						
05/22/17						
<b>HB 144 Amendment</b>						
<b>Sen Daniels</b>						
<b>Department:</b>	Department of Business and Economic Affairs					
<b>Accounting Unit:</b>	02-22-22-2210-2019					
<b>Description:</b>	Increase funding in the Tourism Development Fund for travel and tourism.					
	<b>FY 2018</b>			<b>FY 2019</b>		
<b>Expenditure Class</b>	<b>HB 144-1344s (HB 1 Intro)</b>	<b>Change</b>	<b>Revised Budget</b>	<b>HB 144-1344s (HB 1 Intro)</b>	<b>Change</b>	<b>Revised Budget</b>
069 PROMOTIONAL MARKETING EXP	4,248,072	1,000,000	5,248,072	4,248,072	1,000,000	5,248,072
			-			-
<b>TOTAL</b>	<b>4,248,072</b>	<b>1,000,000</b>	<b>5,248,072</b>	<b>4,248,072</b>	<b>1,000,000</b>	<b>5,248,072</b>
<b>Source of Funds</b>						
GENERAL FUND	4,248,072	1,000,000	5,248,072	4,248,072	1,000,000	5,248,072
			-			-
<b>TOTAL</b>	<b>4,248,072</b>	<b>1,000,000</b>	<b>5,248,072</b>	<b>4,248,072</b>	<b>1,000,000</b>	<b>5,248,072</b>

3A								
5/22/17								
<b>HB 1 Amendment</b>								
<b>Senators Feltes &amp; D'Allesandro</b>								
<b>Department:</b>		Department of Corrections						
<b>Description:</b>		Funds 14 correction officers, 3 Registered Nurses, 1 Lieutenant, and 1 Sergeant						
<b>Accounting Unit</b>	<b>Class</b>	<b>SOF</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>Biennium Total</b>			
03-46-46-4635-3374	010 PERSONAL SERVICES PERM CLASS	General	365,789	657,177	1,022,966			
	060 BENEFITS		267,752	496,863	764,615			
03-46-46-4650-8234	010 PERSONAL SERVICES PERM CLASS		200,054	-	200,054			
	060 BENEFITS		113,375	-	113,375			
<b>TOTAL</b>				<b>946,970</b>	<b>1,154,040</b>	<b>2,101,010</b>		
<p>Explanation: This action funds the following positions:</p> <p><b>FY 18</b> Three Registered Nurse III's (NEW0071, NEW0072, NEW0073).</p> <p><b>FY18 &amp; FY19</b> Seven Corrections Officers (NEW0017, NEW0018, NEW0019, NEW0020, NEW0021, NEW0022, NEW0023), One Lieutenant (NEW0016), and One Sergeant (NEW0063).</p> <p><b>FY19</b> Seven Corrections Officers (NEW0054, NEW0055, NEW0056, NEW0057, NEW0058, NEW0059, NEW0060).</p>								

LBA							
05/23/17							
<b>HB 1 Amendment</b>							
<b>Senator Morse</b>							
<b>Department:</b>	Judicial Branch						
<b>Description:</b>	Fund 33rd Circuit Court Judge in FY 2019						
<b>Accounting Unit</b>	<b>Class</b>	<b>SOF</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>Biennium Total</b>		
02-10-10-1000-8670	011 PERSONAL SERVICES UNCLASSIFI	G	-	152,144	152,144		
	060 BENEFITS		-	156,018	156,018		
<b>TOTAL</b>			<b>-</b>	<b>308,162</b>	<b>308,162</b>		

LBA							
05/23/17							
<b>HB 1 Amendment</b>							
<b>Senator Morse</b>							
<b>Department:</b>	Judicial Council						
<b>Description:</b>	Reduce Funding in Civil Legal Services Fund						
<b>Accounting Unit</b>	<b>Class</b>	<b>SOF</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>Biennium Total</b>		
2-07-07-0700-1098	108 PROVIDER PAYMENTS LEGAL SERV	G	(150,000)	(150,000)	(300,000)		
	<b>TOTAL</b>		<b>(150,000)</b>	<b>(150,000)</b>	<b>(300,000)</b>		



Draft Amendment to HB 517

1        1 Designated Receiving Facilities; Residential Beds.

2            I. The commissioner of the department of health and human services shall issue a request  
3 for applications (RFA) from qualified vendors to establish up to 20 designated receiving facility beds  
4 for up to 2 years. The designated receiving facilities, as defined in RSA 135-C:26, shall service  
5 individuals with severe mental illness who meet the criteria for involuntary emergency admission.  
6 The RFA shall be issued no later than June 30, 2017.

7            II. The commissioner of the department of health and human services shall issue a request  
8 for applications (RFA) from qualified vendors for 20 transitional and community residential beds for  
9 the fiscal year ending June 30, 2018 and up to 40 transitional and community residential beds for  
10 the fiscal year ending June 30, 2019 with wrap-around services and supports for individuals,  
11 prioritizing those who are transitioning from New Hampshire hospital and designated receiving  
12 facilities. The RFA shall be issued no later than June 30, 2017 and the housing shall be operational  
13 by October 1, 2017.

14        2 Plan Required for Removal of Certain Persons From New Hampshire Hospital. The  
15 commissioner of the department of health and human services shall develop a plan to safely remove  
16 the remaining 24 youths from the New Hampshire hospital and to ensure that they continue to  
17 receive the care they need by November 1, 2017. The commissioner shall make a report relative to  
18 the plan which shall be submitted to the speaker of the house of representatives, the president of  
19 the senate, the chairs of the house and senate committees having jurisdiction over health and  
20 human services, and the governor on or before November 2, 2017.

21        3 Peer Crisis Respite Beds. The commissioner of the department of health and human services  
22 shall issue a request for proposals (RFP) from peer support agencies for up to 8 peer crisis respite  
23 beds. The RFP shall be issued no later than June 30, 2017.

24        4 Mobile Crisis Teams and Apartments. The commissioner of the department of health and  
25 human services shall issue a request for proposals (RFP) for a mobile crisis team and apartments  
26 from qualified vendors. The RFP for the mobile crisis team and apartments shall be issued no later  
27 than June 30, 2017 and operational no later than January 1, 2018. Any new mobile crisis teams  
28 shall be established in geographic locations that have high rates of admissions to and discharges  
29 from New Hampshire hospital.

30        5 Integrated Data Management System. The commissioner of the department of health and  
31 human services and the commissioner of the department of information technology shall issue a  
32 request for proposals (RFP) from vendors to develop and implement an integrated data

1 management system that provides real-time information about the availability of involuntary and  
2 Voluntary inpatient psychiatric beds in the state of New Hampshire. The RFP shall be issued no  
3 later than September 1, 2017. The system shall be operational no later than January 1, 2018.

4 6 Evaluation Required. The commissioner of the department of health and human services  
5 shall issue a request for proposals (RFP) for an independent evaluation of the capacity of the  
6 current health system in New Hampshire to respond to the inpatient, acute care psychiatric needs  
7 of patients, including, but not limited to, those patients who require involuntary emergency  
8 admissions, as defined in RSA 135-C. The commissioner shall seek non-state general funds to pay  
9 for the evaluation. The RFP shall be issued no later than June 30, 2017 and the evaluation shall be  
10 completed by November 1, 2017.

11 ~~7 Independent Review of the Division for Children, Youth, and Families.~~

12 ~~I. For the purpose of thoroughly examining the state's policies and practices related to child  
13 protection, and as a follow-up to the December 19, 2016 report on the division for children, youth  
14 and families by the Center for the Support of Families, the department of health and human  
15 services shall hire an independent consultant to perform an independent review of the division for  
16 children youth and families. The review and the resulting report shall be completed no later than  
17 November 1, 2019.~~

18 ~~II. The independent consultant shall submit a final report of the independent review to the  
19 committee established in section 11 of this act and to the fiscal committee of the general court for  
20 transmission to the governor, the speaker of the house of representatives, and the president of the  
21 senate.~~

22 ~~8 Appropriation. The sum of \$100,000 for the fiscal year ending June 30, 2018, is hereby  
23 appropriated to the department of health and human services for the purpose of conducting the  
24 independent review required under section 9 of this act. The governor is authorized to draw a  
25 warrant for said sum out of any money in the treasury not otherwise appropriated.  
26 Notwithstanding RSA 14:30-a, VI, the department is authorized to accept and expend matching  
27 funds for the purposes of section 9 of this act, without prior approval of the fiscal committee.~~

28 ~~9 Joint Legislative Committee to Examine the Independent Review of the Division for Children,  
29 Youth and Families. There is established a committee to examine the independent review of the  
30 division for children, youth and families.~~

31 ~~I. The members of the committee shall be as follows:~~

32 ~~(a) Three members of the house of representatives, appointed by the speaker of the  
33 house of representatives.~~

34 ~~(b) Three members of the senate, appointed by the president of the senate.~~

35 ~~II. Members of the committee shall receive mileage at the legislative rate when attending to  
36 the duties of the committee.~~

37 ~~III. The committee shall examine the independent review of the division for children, youth~~

Delete 7-9

Draft Amendment to HB 517

- Page 3 -

Delete

1 and families and assess the state's progress in addressing issues raised by the Center for the  
2 Support of Children in the center's report dated December 19, 2016. In consultation with the  
3 commissioner of health and human services, the committee shall develop any draft legislation  
4 necessary to implement recommendations from the report and review for inclusion in the 2020/2021  
5 biennial budget.

6 IV. The members of the study committee shall elect a chairperson from among the  
7 members. The first meeting of the committee shall be called by the first-named house member. The  
8 first meeting of the committee shall be held within 45 days of the effective date of this section. Four  
9 members of the committee shall constitute a quorum.

10 V. The committee shall report its findings and any recommendations for proposed  
11 legislation to the speaker of the house of representatives, the president of the senate, the house  
12 clerk, the senate clerk, the governor, and the state library on or before July 1, 2020.

13 10 Department of Health and Human Services; Associate Commissioner of Health and Human  
14 Services; Position Established. RSA 126-A:9, I(a) is repealed and reenacted to read as follows:

15 (a) Subject to the approval of the governor and council, the commissioner of health and  
16 human services shall appoint an associate commissioner, who shall serve for a term of 4 years. The  
17 associate commissioner shall perform such duties as may be assigned by the commissioner, which  
18 shall include oversight of the division for children, youth and families and assigned responsibilities  
19 of the department under RSA 170-G. The annual salary of the associate commissioner shall be as  
20 prescribed in RSA 94:1-a.

21 11 Department of Health and Human Services; Salaries; Reference to Associate Commissioner  
22 Added; Reference to Senior Division Director Removed. Amend RSA 126-A:10 to read as follows:

23 126-A:10 Salaries. The annual salaries of the commissioner of health and human services,  
24 deputy commissioner of health and human services, [senior division director] *associate*  
25 *commissioner*, division directors, and unclassified employees of the department shall be as  
26 prescribed by RSA 94:1-a.

27 12 Salary of Associate Commissioner. Amend RSA 94:1-a, I(b) to read as follows:

28 Delete:

29 JJ Department of health and human services senior division director

30 Insert:

31 JJ Department of health and human services associate commissioner

32 13 New Subparagraph; Department of Health and Human Services; Position Established.  
33 Amend RSA 126-A:9, I by inserting after subparagraph (b) the following new subparagraph:

34 (c) The commissioner shall appoint an unclassified mental health medical supervisor  
35 who shall perform such duties as may be assigned by the commissioner. These duties shall include,  
36 but not be limited to, collecting and reporting information regarding patients in need of high acuity  
37 mental health treatment and information regarding treatment options. The mental health medical

Hold

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1 supervisor shall be clinically qualified to assist in the triage for appropriate inpatient, partial  
2 hospitalization, and/or community based services. The mental health medical supervisor shall be a  
3 psychiatrist or psychiatric nurse practitioner licensed or qualified to practice in New Hampshire.  
4 The salary of the mental health medical supervisor shall be determined after assessment and  
5 review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position  
6 which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

7 14 New Subdivision; Office of the Child Advocate. Amend RSA 170-G by inserting after section  
8 16 the following new subdivision:

9 Office of the Child Advocate

10 170-G:17 Office of the Child Advocate.

11 I. The office of the child advocate shall be an independent agency, administratively  
12 attached to the department of administrative services pursuant to RSA 21-G:10.

13 II. The office shall be under the supervision of an unclassified director of the office of the  
14 child advocate. The director shall serve a term of 4 years and until a successor is appointed and  
15 qualified. Any vacancy in the office shall be filled in the same manner as the original appointment  
16 for the remainder of the unexpired term. The director shall be appointed by the governor and  
17 council, upon the recommendation of the oversight commission established in RSA 170-G:18. The  
18 director shall possess a professional graduate degree in law, social work, public health, or a related  
19 field and be qualified by reason of education, experience, and expertise to perform the duties of the  
20 office.

21 III. The office of the child advocate shall:

22 (a) Provide independent oversight of the state's child protection system to assure that  
23 the best interests of children are being protected.

24 (b) Regularly consult with the department of health and human services and the  
25 oversight commission established in RSA 170-G:18.

26 (c) Maintain client confidentiality and the confidentiality of all case records as specified  
27 in law.

28 (d) Have access to records within the scope of its mission, except for those records  
29 maintained by the department of justice which are part of a pending legal proceeding.

30 (e) Have the ability to subpoena witnesses and/or records.

31 (f) Have the authority to review and investigate any aspect of the department's child  
32 protection policies or practices.

33 (g) Provide information and referral services to the public regarding the department's  
34 child protection services; provided that case specific complaints shall be handled by the department.

35 (h) Receive a copy of all critical incident reports from the department. The department  
36 shall provide the office with a copy of the report not later than 48 hours after the occurrence;  
37 provided that any child fatality shall be immediately communicated to the office by phone.

1 (i) Perform educational outreach and advocacy activities in furtherance of the mission  
2 and responsibilities of the office.

3 (j) Investigate and report on issues related to child protection upon the request of the  
4 governor, commissioner of health and human services, speaker of the house of representatives,  
5 senate president, or oversight commission.

6 IV. Beginning November 1, 2017, and each November 1 thereafter, the director of the office  
7 of the child advocate shall submit an annual report of its activity, findings, and recommendations to  
8 the commissioner of the department of health and human services, the governor, the speaker of the  
9 house of representatives, the senate president, and the state library.

10 170-G:18 Oversight Commission on Children's Services and Juvenile Justice Established.

11 I. There shall be an oversight commission on children's services and juvenile justice, which  
12 shall consist of the following members:

13 (a) Two members of the senate, appointed by the senate president.

14 (b) Two members of the house of representatives, appointed by the speaker of the house  
15 of representatives.

16 (c) Four members representing the executive branch, appointed by the governor.

17 (d) Two members representing the judicial branch, appointed by the chief justice of the  
18 supreme court.

19 (e) Two representatives of the New Hampshire Association of Chiefs of Police, one of  
20 whom serves as chief of police for a city and one of whom serves as chief of police for a town.

21 (f) Four members of child advocacy organizations, appointed by the governor.

22 II. Legislative members of the commission shall serve a term coterminous with their term  
23 in office. Members appointed under subparagraphs (c)-(f) shall serve 3-year terms. Legislative  
24 members of the commission shall receive mileage at the legislative rate when attending to the  
25 duties of the commission.

26 III. The oversight commission shall:

27 (a) Recommend at least 3 qualified candidates to the governor for appointment as  
28 director of the office of the child advocate; except that in the case of reappointment, a single  
29 recommendation shall be sufficient.

30 (b) Provide oversight to the department of health and human services and the office of  
31 the child advocate to support an effective, comprehensive, and coordinated system of services and  
32 programs for children, youth, and families.

33 (c) Analyze the efficacy of selected programs and services of the department, including  
34 the characteristics of target populations, trends affecting program costs and participation, and  
35 alternative approaches to programmatic and administrative concerns.

36 (d) Collaborate with the department of health and human services and the office of the  
37 child advocate to identify and implement best practices on behalf of children and families.

1 (e) Monitor and review implementation of the memorandum of understanding entered  
2 into by the department of health and human services and the department of justice regarding the  
3 collaboration between the 2 departments in the department of health and human services'  
4 investigation and prosecution of abuse and neglect cases.

5 IV. The oversight commission shall elect a chairperson from among the members. The first  
6 meeting of the commission shall be called by the first-named senate member. The first meeting of  
7 the commission shall be held within 45 days of the effective date of this section. Four members of  
8 the commission shall constitute a quorum.

9 V. Not later than November 1, 2017 and May 1, 2018, and not later than each November 1  
10 thereafter, the commission shall submit a report of its activity, findings, and any recommendations  
11 for proposed legislation to the commissioner of the department of health and human services, the  
12 director of the office of the child advocate, the president of the senate, the speaker of the house of  
13 representatives, the senate clerk, the house clerk, the governor, and the state library.

14 15 Department of Health and Human Services; Director of Legal Services; Memorandum of  
15 Understanding between the Department of Health and Human Services and the Department of  
16 Justice.

17 I. On the effective date of this section, the director of legal services, position number 9U468,  
18 shall be physically located in the department of justice. The director of legal services shall be under  
19 the supervision of the attorney general and shall be responsible for the supervision of all attorneys  
20 in the department of health and human services, division for children, youth and families. Funding  
21 for the position shall remain with the department of health and human services.

22 II.(a) On or before August 1, 2017, the commissioner of the department of health and  
23 human services and the attorney general of the department of justice shall enter into a  
24 memorandum of understanding that provides for the ongoing communication and collaboration by  
25 and between the 2 departments in connection with the department of health and human services'  
26 investigation and prosecution of abuse and neglect cases. The memorandum of understanding  
27 shall:

28 (1) Provide for joint case consultation, oversight, and review of the department of  
29 health and human services, division for children, youth and families cases in appropriate instances;

30 (2) Outline the roles and responsibilities of each agency in the prosecution of these  
31 cases; and

32 (3) Establish a process to address any identified training needs for the division for  
33 children, youth and families attorneys, including, but not limited to, monthly meetings with the  
34 department of justice and supervisory attorneys representing the division for children, youth and  
35 families and quarterly meetings with the department of justice and all attorneys representing the  
36 division for children, youth and families.

37 (b) The department of health and human services, in collaboration with the department

1 of justice, shall provide an interim report on or before December 31, 2017 and an annual report  
2 beginning on or before June 30, 2018, to the oversight commission on children's services and  
3 juvenile justice established in RSA 170-G:18 regarding implementation and progress under the  
4 memorandum of understanding. The report shall address whether additional attorney positions in  
5 the division for children, youth and families should be transferred to the department of justice.

6 16 Child Protection Act; Purpose. Amend RSA 169-C:2 to read as follows:

7 169-C:2 Purpose.

8 I. It is the *primary* purpose of this chapter, through the mandatory reporting of suspected  
9 instances of child abuse or neglect, to provide protection to children whose life, health or welfare is  
10 endangered. ~~[and]~~

11 II. *It is a further purpose of this chapter* to establish a judicial framework to protect the  
12 rights of all parties involved in the adjudication of child abuse or neglect cases. Each child coming  
13 within the provisions of this chapter shall receive, preferably in ~~[his]~~ *the child's* own home, the  
14 care, emotional security, guidance, and control that will promote the child's best interest; and, if the  
15 child should be removed from the control of his *or her* parents, guardian, or custodian, adequate  
16 care shall be secured for the child. This chapter seeks to coordinate efforts by state and local  
17 authorities, in cooperation with private agencies and organizations, citizens' groups, and concerned  
18 individuals, to:

19 (a) Protect the safety of the child.

20 (b) ~~[Preserve the unity of the family whenever possible.~~

21 ~~(c) Provide assistance to parents to deal with and correct problems in order to avoid  
22 removal of children from the family.~~

23 ~~(d) Take such action as may be necessary to prevent abuse or neglect of children.~~

24 ~~(e) Provide protection, treatment, and rehabilitation, as needed, to children placed in  
25 alternative care.]~~ *Take such action as may be necessary to prevent the abuse or neglect of  
26 children.*

27 (c) *Preserve the unity of the family.*

28 (d) *Provide protection, treatment, and rehabilitation, as needed, to children  
29 placed in alternative care.*

30 (e) *Provide assistance to parents to deal with and correct problems in order to  
31 avoid removal of children from the family.*

32 ~~[H.]~~ III. This chapter shall be liberally construed to the end that its purpose may be carried  
33 out, to wit:

34 (a) To encourage the mental, emotional, and physical development of each child coming  
35 within the provisions of this chapter, by providing ~~[him]~~ *the child* with the protection, care,  
36 treatment, ~~[counseling]~~ *counseling*, supervision, and rehabilitative resources which ~~[he]~~ *the child*  
37 needs and has a right to receive.

1 (b) To achieve the foregoing purposes and policies, whenever possible, by keeping a  
2 child in contact with his *or her* home community and in a family environment by preserving the  
3 unity of the family and separating the child from his *or her* parents only when the safety of the  
4 child is in danger or when it is clearly necessary for ~~[his]~~ *the child's* welfare or the interests of the  
5 public safety and when it can be clearly shown that a change in custody and control will plainly  
6 better the child; and

7 (c) To provide effective judicial procedures through which the provisions of this chapter  
8 are executed and enforced and which recognize and enforce the constitutional and other rights of  
9 the parties and assures them a fair hearing.

10 17 Child Protection Act; Definitions. Amend RSA 169-C:3, XIX(a)-(b) to read as follows:

11 (a) Who has been abandoned by his *or her* parents, guardian, or custodian; or

12 (b) Who is without proper parental care or control, subsistence, education as required  
13 by law, or other care or control necessary for ~~[his]~~ *the child's* physical, mental, or emotional health,  
14 when it is established that ~~[his]~~ *the child's* health has suffered or is ~~[very]~~ likely to suffer serious  
15 impairment; and the deprivation is not due primarily to the lack of financial means of the parents,  
16 guardian, or custodian; or

17 18 Child Protection Act; Definitions. Amend RSA 169-C:3, XXVII-a and XXVIII to read as  
18 follows:

19 XXVII-a. *"Serious impairment" means a substantial weakening or diminishment of*  
20 *a child's emotional, physical, or mental health or of a child's safety and general well-*  
21 *being. The following circumstances shall be considered in determining the likelihood that*  
22 *a child may suffer serious impairment:*

23 (a) *The age and developmental level of the child.*

24 (b) *Any recognized mental, emotional, or physical disabilities.*

25 (c) *School attendance and performance.*

26 (d) *The child's illegal use of controlled substances, or the child's contact with*  
27 *other persons involved in the illegal use or sale of controlled substances or the abuse of*  
28 *alcohol.*

29 (e) *Exposure to incidents of domestic or sexual violence.*

30 (f) *Any documented failure to thrive.*

31 (g) *Any history of frequent illness or injury.*

32 (h) *Findings in other proceedings.*

33 (i) *The condition of the child's place of residence.*

34 (j) *Assessments or evaluations of the child conducted by qualified professionals.*

35 (k) *Such other factors that may be determined to be appropriate or relevant.*

36 XXVII-b. "Sexual abuse" means the employment, use, persuasion, inducement, enticement,  
37 or coercion of any child to engage in, or having a child assist any other person to engage in, any



1 sexually explicit conduct or any simulation of such conduct for the purpose of producing any visual  
2 depiction of such conduct; or the rape, molestation, prostitution, or other form of sexual exploitation  
3 of children, or incest with children. With respect to the definition of sexual abuse, the term "child"  
4 or "children" means any individual who is under the age of 18 years.

5 XXVIII. "Unfounded report" means a report made pursuant to this chapter for which the  
6 department ~~[finds]~~ *determines* that there is ~~[no probable cause to believe]~~ *insufficient evidence*  
7 *to substantiate a finding* that the child is abused or neglected.

8 19 Determination of Parental Rights and Responsibilities. Amend RSA 461-A:6, IV(b) to read  
9 as follows:

10 (b) In this paragraph, "sexual abuse" shall mean sexual abuse as defined in RSA 169-  
11 C:3, ~~XXVII-a]~~ *XXVII-b*, and "sexual assault" shall mean sexual assault as provided in RSA 632-A:2,  
12 RSA 632-A:3, and RSA 632-A:4.

13 20 Child Protection Act; Evidence. Amend RSA 169-C:12 to read as follows:

14 169-C:12 Evidence. In any hearing under this chapter, the court shall not be bound by the  
15 technical rules of evidence and may admit evidence which it considers relevant and material.  
16 *Evidence of prior founded or unfounded reports of abuse or neglect shall be admissible in*  
17 *proceedings under this chapter in order to establish a relevant pattern or course of*  
18 *conduct.*

19 21 New Section; Public Assistance; Home and Community Based Behavioral Health Services  
20 Program. Amend RSA 167 by inserting after section 3-j the following new section:

21 167:3-k Home and Community-Based Behavioral Health Services for Children.

22 I. The department shall establish a Medicaid home and community-based behavioral health  
23 services program for children with severe emotional disturbances whose service needs cannot be  
24 met through traditional behavioral health services. The department may establish such services  
25 through a state plan amendment as provided in Section 1915(i) of the Social Security Act or a  
26 waiver under other provisions of the Act. If the department proceeds with a waiver, it shall not  
27 limit the geographic availability of services. Such services shall include the following services or  
28 their functional equivalent:

- 29 (a) Wraparound care coordination.
- 30 (b) Wraparound participation.
- 31 (c) In home respite care.
- 32 (d) Out of home respite care.
- 33 (e) Customizable goods and services.
- 34 (f) Family peer support.
- 35 (g) Youth peer support.

36 II. The services provided under this section shall be subject to available funds.

37 22 Appropriation. The sum of \$1,500,000 for the fiscal year ending June 30, 2018 and the sum

Draft Amendment to HB 517

- Page 10 -

1 of \$1,500,000 for the fiscal year ending June 30, 2019 are hereby appropriated to the department of  
2 health and human services for the purposes of section 21 of this act. Notwithstanding RSA 14:30-a,  
3 VI, the department is hereby authorized to accept and expend matching federal funds for the  
4 purposes of this section 21 of this act, without prior approval of the fiscal committee. The governor  
5 is authorized to draw a warrant for said sums out of any money in the treasury not otherwise  
6 appropriated.

7 23 Effective Date. This act shall take effect upon its passage.

2017-1851s

AMENDED ANALYSIS

1. Requires the commissioner of the department of health and human services to issue certain requests for applications and requests for proposals.
2. Replaces the position of senior division director with the position of associate commissioner, whose responsibilities shall include oversight of the division for children, youth, and families.
3. Establishes the position of mental health medical supervisor in the department of health and human services, requires the position of director of legal services to be physically located in the department of justice, and requires the 2 departments to enter into a memorandum of understanding regarding abuse and neglect cases.
4. Establishes an independent office of the child advocate and an oversight commission on children's services and juvenile justice.
5. Amends the purpose of the child protection act.
6. Amends the definition of an unfounded report by replacing "no probable cause to believe" with "insufficient evidence to substantiate a finding."
7. Inserts a definition of "serious impairment."
8. Amends the evidentiary standards for abuse and neglect cases by allowing into evidence prior founded or unfounded reports of abuse or neglect in order to establish pattern or course of conduct.
9. Directs the department of health and human services to establish a Medicaid home and community-based behavioral health services program for children with severe emotional disturbances and makes an appropriation therefor.

Draft Amendment to HB 517

1        1 Department of Health and Human Services; Contracts for Family Planning Services.  
2 Notwithstanding any law or administrative rule to the contrary, the commissioner of health and  
3 human services shall establish and utilize a competitive bidding process for family planning  
4 services.

Draft Amendment to HB 517  
- Page 2 -

2017-1968s

AMENDED ANALYSIS

Requires the commissioner of the department of health and human services to establish and utilize a competitive bidding process for family planning services.

Draft Amendment to HB 517

1 Amend the bill by inserting the following section:

2

3 1 Reproductive Health Care Facilities; Funding Restriction. No state or federal funds,  
4 including but not limited to federal Title X funds, awarded by the department of health and human  
5 services to a reproductive health care facility, as defined in RSA 132:37, I, shall be used to provide  
6 abortion services. This section shall not apply to funding available from the state pursuant to Title  
7 XIX of the Social Security Act to the minimum extent necessary to comply with federal conditions  
8 for the state's participation in the Medicaid program.

Draft Amendment to HB 517

- Page 2 -

2017-1959s

AMENDED ANALYSIS

Insert:

1. Prohibits reproductive health care facilities from using state or federal funds to provide abortion services.

Draft Amendment to HB 517

1 Amend the bill by replacing sections 204 and 205 with the following:

2

3 204 New Section; Public Assistance; Home and Community Based Behavioral Health Services  
4 Program. Amend RSA 167 by inserting after section 3-j the following new section:

5 167:3-k Home and Community-Based Behavioral Health Services for Children. The  
6 department shall establish a Medicaid home and community-based behavioral health services  
7 program for children with severe emotional disturbances whose service needs cannot be met  
8 through traditional behavioral health services. The department may establish such services  
9 through a state plan amendment as provided in Section 1915(i) of the Social Security Act or a  
10 waiver under other provisions of the Act. If the department proceeds with a waiver, it shall not  
11 limit the geographic availability of services. Such services shall include the following services or  
12 their functional equivalent:

- 13 (a) Wraparound care coordination.  
14 (b) Wraparound participation.  
15 (c) In home respite care.  
16 (d) Out of home respite care.  
17 (e) Customizable goods and services.  
18 (f) Family peer support.  
19 (g) Youth peer support.

20 Effective Date. Section 204 of this act shall take effect July 1, 2018.

Sen. Morse, Dist 22  
May 22, 2017  
2017-1958s  
04/03

Draft Amendment to HB 517

1        1 Funding for Operational Costs of the Sununu Youth Services Center. For the biennium  
2 ending June 30, 2019, funds determined by the commissioner of the department of health and  
3 human services to be necessary for the operational costs of the Sununu youth services center and  
4 the alcohol and drug abuse treatment facility at the Sununu youth services center may be funded  
5 from the amounts appropriated to account 05-95-92-920510-3382, governor commission funds.  
6 Transfers from account 05-95-92-920510-3382 deemed by the commissioner of the department of  
7 health and human services to be necessary for this purpose shall not require prior approval of the  
8 fiscal committee of the general court.

Sen. Daniels, Dist 11  
May 18, 2017  
2017-1913s  
01/03

Draft Amendment to HB 517

1        1 Department of Health and Human Services; Suspension of Home Health Services Rate  
2 Setting. Notwithstanding any provision of law to the contrary, RSA 126-A:18-a relative to rate  
3 settings for home health services shall be suspended for the biennium ending June 30, 2019.  
4 Payments for home health services shall be limited to appropriations for home health services as  
5 may be restricted or reduced by action of the fiscal committee of the general court or by legislative  
6 action.



Sen. Giuda, Dist 2  
May 22, 2017  
2017-1948s  
03/01

Draft Amendment to HB 517

1 Amend the bill by replacing section 66 with the following:

2

3 66 Repeal. The following are repealed:

4 I. RSA 167:3-c, III, relative to rulemaking for deceased recipients of public assistance  
5 funeral expenses.

6 II. RSA 167:11, relative to funeral expenses to recipients of public assistance.

Draft Amendment to HB 517

1 Amend the bill by replacing section 142 with the following:

2

3 142 Department of Corrections; Unfunded Positions. Notwithstanding any provision of law to  
4 the contrary, the department of corrections, with prior approval of the fiscal committee of the  
5 general court, may fill unfunded positions during the biennium ending June 30, 2019, provided that  
6 the total expenditure for such positions shall not exceed the amount appropriated for personal  
7 services.

8

9 Amend the bill by replacing section 185 with the following:

10

11 185 Department of Health and Human Services; Unfunded Positions; Authorization.  
12 Notwithstanding any other provision of law to the contrary, the department of health and human  
13 services, with prior approval of the fiscal committee of the general court, may fill unfunded  
14 positions during the biennium ending June 30, 2019, provided that the total expenditure for such  
15 positions shall not exceed the amount appropriated for personal services.

Sen. D'Allesandro, Dist 20  
May 11, 2017  
2017-1738s  
01/04

Draft Amendment to HB 517

- 1 Amend the bill by deleting sections 83 and 84.

Draft Amendment to HB 517

1       1 Review by Oversight Committee.

2           I. On or before January 31, 2018, the oversight committee on health and human services,  
3 established in RSA 126-A:13, shall review, evaluate, and report on whether measures taken in  
4 accordance with the provisions of this act have:

5               (a) Reduced the waiting list and waiting times for designated receiving facilities.

6               (b) Resulted in the referral and receipt of services at the appropriate level of care and in  
7 a timely manner.

8               (c) Improved the responsiveness of the state, payers, and providers to customer needs.

9               (d) Allowed the mental health medical supervisor to adequately assist in the mental  
10 health triage process.

11           II. The committee shall also include a review and comparison of the cost and benefits of  
12 other models of mental health triage and shall make a report including any recommendations.

Draft Amendment to HB 517

1 Replace section 180 with the following:

2

3 180 New Subparagraph; Commissioner's Duties; Medicaid Managed Care Program; Prior  
4 Authorization. Amend RSA 126-A:5, XIX by inserting after subparagraph (f) the following new  
5 subparagraph:

6 (g)(1) By July 15, 2017, the commissioner shall develop a universal online prior  
7 authorization form for drugs used to treat mental illness and require community mental health  
8 centers and managed care organizations to use such form by September 1, 2017. A reasonably  
9 completed prior authorization request submitted using the online form shall be approved or denied  
10 by the close of the next business day. Failure to meet this time frame shall be deemed automatic  
11 approval. If the prior authorization is denied, the prescribing provider may request a peer-to-peer  
12 review with a licensed psychiatric specialist with prescribing privileges by the close of the next  
13 business day. Failure by the managed care organization to provide such review by the close of the  
14 next business day shall be deemed automatic approval unless the prescribing provider fails to  
15 participate in the peer-to-peer review within that time period.

16 (2) Prior authorization for drugs prescribed by community mental health centers for  
17 treatment of severe mental illness shall be suspended if the deadlines under this subparagraph are  
18 not met, or if the commissioner determines there is a pattern of missed deadlines for peer-to-peer  
19 reviews following denials, or if at any time the commissioner determines such suspension is  
20 necessary to promote the behavioral health and well-being of New Hampshire's citizens being  
21 served under Medicaid managed care.

22 (3) The commissioner shall monitor compliance under this subparagraph and shall  
23 report quarterly through December 31, 2018 to the fiscal committee of the general court relative to  
24 adherence to all such requirements including the rate of denial.

Draft Amendment to HB 517

1       1 Administrative Procedure Act; Filing of Proposed Rule Text; Newly Enacted Authority.  
2 Amend RSA 541-A:10, I to read as follows:

3  
4       I. At the same time the notice required by RSA 541-A:6, I is filed, the agency shall file the  
5 text of the proposed rule with the director of legislative services. ~~[The first time a rule is proposed~~  
6 ~~under RSA 541-A:3 to implement newly enacted state authority, the agency shall send an electronic~~  
7 ~~copy of the notice and proposed rule to the chair of each house and senate standing policy~~  
8 ~~committee, as defined in RSA 541-A:1, XVI, for distribution to the members of such standing policy~~  
9 ~~committees. "Newly enacted state authority" means a state statute or session law adopted or~~  
10 ~~amended after July 30, 2011. If the newly enacted state authority was not referred originally to a~~  
11 ~~standing policy committee, the agency shall send an electronic copy of the notice and proposed rule~~  
12 ~~to the speaker of the house and senate president for appropriate distribution. The members of the~~  
13 ~~standing policy committees receiving proposed rules may review the proposed rules to determine~~  
14 ~~whether the proposed rule is consistent with the intent of the authorizing legislation. If a standing~~  
15 ~~policy committee concludes that the proposed rule is not consistent with the intent of the~~  
16 ~~authorizing legislation, the standing policy committee shall send written notice to the agency, with~~  
17 ~~a copy to the director of legislative services, identifying the provision or provisions the committee~~  
18 ~~believes to be inconsistent with legislative intent. Such written notice may be sent to the agency via~~  
19 ~~e-mail and shall be delivered so as to be received by the agency no later than the deadline for public~~  
20 ~~comment specified in the rulemaking notice. If the agency does not receive notice from any~~  
21 ~~standing policy committee by the end of the public comment period, the agency may proceed on the~~  
22 ~~basis that the rule is consistent with the intent of the authorizing legislation.]~~ The text of the  
23 proposed rules as filed by the agency pursuant to RSA 541-A:3, III shall not be changed prior to the  
24 hearing held pursuant to RSA 541-A:11, I(a).

2017-1935s

AMENDED ANALYSIS

1. Removes the requirement in the administrative procedure act for agencies to give notice to legislative committees for proposed rules on newly enacted authority.

Draft Amendment to HB 517

1        1 Department of Education; Chartered Public School Program Officer. There is established  
2 within the department of education the classified position of administrator II to serve as chartered  
3 public school program officer. The commissioner may transfer available appropriations from within  
4 the department's budget to fund this position, with prior approval of the fiscal committee of the  
5 general court and governor and executive council.

Draft Amendment to HB 517  
- Page 2 -

2017-1967s

AMENDED ANALYSIS

1. Establishes a chartered public school program officer position in the department of education.

Draft Amendment to HB 517

1           1 Implementation of Drinking Water and Groundwater Protection; New Hampshire Drinking  
2 Water and Groundwater Advisory Commission Established. Amend RSA 485-F:3 and 485-F:4 to  
3 read as follows:

4           485-F:3 Implementation of Drinking Water and Groundwater Protection.

5           I. The ~~[department]~~ *New Hampshire drinking water and groundwater advisory*  
6 *commission, established in RSA 485-F:4*, shall administer the drinking water and groundwater  
7 trust fund through the MTBE remediation bureau. Subject to the approval of the fiscal committee  
8 of the general court, trust fund proceeds sufficient to fund the department's MTBE remediation  
9 bureau and qualifying projects shall be transferred to the department and maintained in a separate,  
10 nonlapsing account, continually appropriated to the department for the purpose of paying all costs  
11 of this program. The department shall *provide administrative support to the drinking water*  
12 *and groundwater advisory commission by performing the following duties, including but*  
13 *not limited to:*

14           (a) ~~[Investigate]~~ *Investigating*, ~~[manage]~~ *managing*, and ~~[remediate]~~ *remediating*  
15 contaminated groundwater.

16           (b) ~~[Protect against future contamination or impacted drinking water sources through~~  
17 ~~measures including, but not limited to, the expansion of drinking water infrastructure or drinking~~  
18 ~~water source protection.~~

19           ~~(e) Assist]~~ *Assisting* local and regional entities in the development and administration  
20 of local wellhead protection programs, including delineation of wellhead protection areas and the  
21 inventory and management of activities which have a potential effect on groundwater quality.

22           ~~[(d) Maintain]~~ (c) *Maintaining* a statewide map identifying the classes of  
23 groundwater.

24           ~~[(e) Measure]~~ (d) *Measuring* levels of contamination statewide and ~~[generate]~~  
25 *generating* maps to show the areas of greatest contamination.

26           ~~[(f) Maintain]~~ (e) *Maintaining* an inventory of wells serving public water supply  
27 systems, and to the extent practicable other wells, and ~~[establish]~~ *establishing* a priority list for  
28 delineation of systems that are currently contaminated with MTBE.

29           ~~[(g) Provide funding through cost-sharing grants to municipalities, municipally-owned~~  
30 ~~water utilities, and water utilities regulated by the public utilities commission for the design,~~  
31 ~~construction, and extension of public water systems, and the establishment and expansion of~~  
32 ~~wellhead protection areas where they provide the most cost-effective method for providing safe and~~



1 ~~clean drinking water.]~~

2 II. The department shall adopt rules, under RSA 541-A, necessary to implement this  
3 chapter. Such rules may include *a competitive grant application process, revolving loan*  
4 *funds, matching funds*, funding qualifications, funding application requirements, provisions for  
5 cost-sharing related to municipal projects, and other provisions consistent with the purposes and  
6 requirements of this chapter.

7 485-F:4 New Hampshire Drinking Water and Groundwater Advisory Commission Established.

8 I. There is hereby established the New Hampshire drinking water and groundwater  
9 advisory commission which shall consult with and advise the department relative to the proper  
10 administration and management of the drinking water and ground water trust fund, as established  
11 in RSA 6-D. The commission shall consist of the following members:

12 (a) The state treasurer, or designee.

13 (b) Two members of the house of representatives, appointed by the speaker of the house  
14 of representatives.

15 (c) Two members of the senate, appointed by the president of the senate.

16 (d) The governor, or designee.

17 (e) The director of the division of public health services, department of health and  
18 human services, or designee.

19 (f) *The commissioner of the department of environmental services, or designee.*

20 (g) *The director of economic development, department of resources and*  
21 *economic development, or designee.*

22 (h) *The executive director of the fish and game department, or designee.*

23 (i) *One representative of the New Hampshire Water Pollution Control*  
24 *Association, appointed by the association.*

25 (j) *One representative of the New Hampshire business community, appointed by*  
26 *the president of the senate.*

27 (k) *One representative of a state or regional land trust, appointed by the*  
28 *governor.*

29 (l) *One representative of the New Hampshire Water Works Association,*  
30 *appointed by the association.*

31 ~~(m)~~(m) One public member, who shall have business experience related to the creation  
32 and/or delivery of clean and safe drinking water, appointed by the speaker of the house of  
33 representatives.

34 ~~(n)~~(n) One public member, who shall represent the interests of citizens receiving their  
35 drinking water from private wells, appointed by the governor.

36 (o) *Two members from a board of selectmen, a town or city council, or a board*  
37 *of alderman, one of whom shall be from a municipality without a public drinking water*

1 *system, appointed by the governor.*

2 ~~[(h) One municipal official, who shall represent municipalities with public water~~  
3 ~~systems, appointed by the governor.]~~

4 ~~[(i) (p) One public member, appointed by the president of the senate.~~

5 II. The commission shall elect a chairperson from among the members.

6 III. *Members appointed under subparagraphs (a)-(e) shall serve terms that are*  
7 *coterminous with their term in office.*

8 IV. Except for the members appointed under subparagraphs (a)-(e), members shall be  
9 appointed for 2-year staggered terms.

10 [FV]. V. Members of the commission shall serve without compensation, except that  
11 legislative members shall receive mileage at the legislative rate when attending to the duties of the  
12 commission.

13 [V-] VI. The department shall provide an annual report to the commission that includes  
14 information on expenditures for the fiscal year, projects begun or completed during the year, and  
15 projections on future program costs.

16 VII. *The commission shall:*

17 (a) *Award grants, revolving loan funds, and matching funds to projects on a*  
18 *competitive basis from the drinking water and groundwater trust fund in a manner*  
19 *consistent with the purpose statement. All disbursements or grants shall require approval*  
20 *of the governor and council. Funds may be awarded if the project meets one of the*  
21 *following criteria:*

22 (1) *Emergency remediation is necessary, where contamination to drinking*  
23 *water or groundwater is prevalent.*

24 (2) *Planning, design, and building of aging water or sewer infrastructure*  
25 *is involved.*

26 (3) *The project protects against future contamination or impacted drinking*  
27 *water sources through measures including, but not limited to, the expansion of drinking*  
28 *water infrastructure or drinking water source protection.*

29 (4) *The project assists local and regional entities in the development and*  
30 *administration of local wellhead protection programs, including delineation of wellhead*  
31 *protection areas and the inventory and management of activities which have a potential*  
32 *effect on groundwater quality.*

33 (5) *The project provides funding through cost-sharing grants to*  
34 *municipalities, municipally-owned water utilities, and water utilities regulated by the*  
35 *public utilities commission for the design, construction, and extension of public water*  
36 *systems, and the establishment and expansion of wellhead protection areas where they*  
37 *provide the most cost effective method for providing safe and clean drinking water.*

1           ***(b) Take land preservation into consideration.***

2           ***(c) Encourage all applicants to provide matching funds beyond the minimum.***

3           ~~[VI.]~~ ***VIII.*** The commission shall meet at least ~~[annually]~~ ***quarterly.*** The commission shall,  
4 at least annually, provide a report to the general court with information on the progress of the  
5 MTBE efforts, expenditures for the year, projects begun or completed during the previous year, the  
6 balance in the trust fund, and any other information the commission deems appropriate.

7           ~~[VII.]~~ ***IX.*** The commission shall, at least annually, review the work and projects funded by  
8 the trust fund during the previous year. The commission shall, at least annually, consult with the  
9 department regarding these activities, and provide advice and counsel relative to future work and  
10 project priorities, as outlined in RSA 485-F:3, I.

11           ~~[VIII.]~~ ***X.*** At least every 5 years, the commission shall prepare and file a report with the  
12 general court evaluating the progress made relative to MTBE contamination, the efficiency of the  
13 program established under this chapter, and whether it continues to provide the maximum benefit  
14 to New Hampshire citizens, and providing any recommendations on potential additional tasks for  
15 which the trust fund could be used to improve access to safe and clean drinking water.

Sen. Morse, Dist 22  
May 9, 2017  
2017-1670s  
05/01

Draft Amendment to HB 517

1 Amend the bill by replacing section 101 with the following:

2

3 101 Judicial Branch; Reimbursement of Sheriff's Office for Court Security. For the biennium  
4 ending June 30, 2019, the state shall reimburse the sheriff's office for court security at the rates  
5 provided in the collective bargaining agreement applicable to per diem court security officers  
6 employed by the judicial branch to attend any official business, for any person employed as a bailiff  
7 by the sheriff's office.

Draft Amendment to HB 517

1 Amend the bill by replacing section 13 with the following:

2

3 13 Judicial Appointments; Number Limited; Conversion Suspended.

4 I. For the biennium ending June 30, 2019, the number of judges serving on the superior  
5 court shall not exceed 21 and the number of full-time judges serving on the circuit court shall not  
6 exceed 33.

7 II. RSA 490-F:7, III, relative to conversion of the position of marital master to a full-time  
8 judicial position, is hereby suspended for the biennium ending June 30, 2019.

Reconsider amendment #1861s,  
and replace with this.

Sen. Reagan, Dist 17  
May 11, 2017  
2017-1719s  
10/04

Draft Amendment to HB 517

1 Amend the bill by inserting the following new sections:

2

3 1 Regulation of Pharmacies; Price of Filling Prescriptions. Amend RSA 318:47-h, I to read as  
4 follows:

5 I. A pharmacy benefits manager or insurer shall require a contracted pharmacy to charge  
6 an enrollee or insured person the pharmacy's usual and customary price of filling the prescription  
7 or the contracted copayment, whichever is less. *For the purposes of this paragraph, "usual  
8 and customary price" means the price an individual would pay for a prescription at a  
9 retail pharmacy if that individual did not have a prescription drug benefit or insurance.  
10 For the purposes of this paragraph, "contracted copayment" means a fixed amount an  
11 individual is responsible to pay for covered prescriptions as set forth in the health benefit  
12 plan.*

13 2 Managed Care Law; Price of Filling Prescriptions. Amend RSA 420-J:7-b, X(a) to read as  
14 follows:

15 (a) A pharmacy benefits manager or insurer shall require a contracted pharmacy to  
16 charge an enrollee or insured person the pharmacy's usual and customary price of filling the  
17 prescription or the contracted copayment, whichever is less. *For the purposes of this  
18 subparagraph, "usual and customary price" means the price an individual would pay for  
19 a prescription at a retail pharmacy if that individual did not have a prescription drug  
20 benefit or insurance. For the purposes of this subparagraph, "contracted copayment"  
21 means a fixed amount an individual is responsible to pay for covered prescriptions as set  
22 forth in the health benefit plan.*

23 3 Accident and Health Insurance; Price of Filling Prescriptions. Amend RSA 415:26, I to read  
24 as follows:

25 I. A pharmacy benefits manager or insurer shall require a contracted pharmacy to charge  
26 an enrollee or insured person the pharmacy's usual and customary price of filling the prescription  
27 or the contracted copayment, whichever is less. *For the purposes of this paragraph, "usual  
28 and customary price" means the price an individual would pay for a prescription at a  
29 retail pharmacy if that individual did not have a prescription drug benefit or insurance.  
30 For the purposes of this paragraph, "contracted copayment" means a fixed amount an  
31 individual is responsible to pay for covered prescriptions as set forth in the health benefit  
32 plan.*

**Draft Amendment to HB 517**

**- Page 2 -**

1      4 Effective Date. Sections 1-3 of this act shall take effect 60 days after its passage.

Draft Amendment to HB 517

1 Amend the bill by replacing section 135 with the following:

2

3 135 Appropriation; Office of Professional Licensure and Certification; Controlled Drug  
4 Prescription Health and Safety Program. Amend 2016, 329:1 to read as follows:

5 329:1 Appropriation; Office of Professional Licensure and Certification; Controlled Drug  
6 Prescription Health and Safety Program. The sum of \$130,000 is hereby appropriated to the office  
7 of professional licensure and certification for the biennium ending June 30, ~~[2017]~~ **2019** for the  
8 purposes of ~~[technology upgrades for]~~ the controlled drug prescription health and safety program,  
9 established in RSA 318-B:32. The governor is authorized to draw a warrant for said sum out of any  
10 money in the treasury not otherwise appropriated.

11 136 Contingent Appropriation; Office of Professional Licensure and Certification; Controlled  
12 Drug Prescription Health and Safety Program. The sum of up to \$100,000 is hereby appropriated to  
13 the office of professional licensure and certification for the biennium ending June 30, 2019 for the  
14 controlled drug prescription health and safety program, established in RSA 318-B:32, and  
15 contingent upon approval of the legislative fiscal committee. The governor is authorized to draw a  
16 warrant for said sum out of any money in the treasury not otherwise appropriated.

17 Effective Date. Section 135 of this act shall take effect June 30, 2017.



Draft Amendment to HB 517

1 Auctioneers; Rulemaking Authority. Amend RSA 311-B:3, I and II to read as follows:

2 I. The board~~[, with the approval of the secretary of state,]~~ shall adopt rules, pursuant to  
3 RSA 541-A, relative to:

4 (a) Procedures for initial, renewal, and reinstatement licensure;

5 (b) The qualifications of applicants for initial, renewal, and reinstatement licensure in  
6 addition to those requirements set by statute, and the means to be used by applicants to  
7 demonstrate good professional character;

8 (c) The establishment of all fees required or authorized under this chapter;

9 (d) The form and content of applications for initial, renewal, and reinstatement  
10 licensure, including a notarized affidavit of completeness and accuracy;

11 (e) Ethical and professional standards required to be met by each holder of a license  
12 under this chapter;

13 (f) How disciplinary actions by the board shall be implemented for violations of these  
14 standards and for misconduct by licensees;

15 (g) Procedures for the conduct of hearings consistent with the requirements of due  
16 process; and

17 (h) Establishing eligibility for certificates of authorization issued under RSA 311-B:4,

18 III.

19 II. The board~~[, with the approval of the secretary of state,]~~ may adopt rules, pursuant to  
20 RSA 541-A, relative to:

21 (a) Required maintenance of competence including requirements for continuing  
22 education;

23 (b) Procedures for submitting complaints about licensees to the board and for the  
24 board's management of such complaints;

25 (c) Board approval of auctioneering educational programs; and

26 (d) Standards governing auctioneering apprenticeships.

2017-1934s

AMENDED ANALYSIS

1. Removes the requirement for approval by the secretary of state for rulemaking authority for the board of auctioneers.

Draft Amendment to HB 517

1 Replace sections 152-154 with the following:

2

3 152 Department of Transportation and Liquor Commission; Feasibility Assessment. The  
4 commissioners of the department of transportation and the liquor commission may conduct a  
5 feasibility assessment of the existing northbound and southbound liquor and wine outlets sites in  
6 the town of Hampton on Interstate 95 to determine the financial viability of constructing, operating,  
7 and maintaining a turnpike service plaza for motorists.

8 153 Department of Transportation; Acquisition of Land. The commissioner of the department  
9 of transportation is authorized to acquire land as required for the purpose of constructing,  
10 operating, and maintaining a turnpike service plaza for motorists at the existing northbound and  
11 southbound liquor and wine outlets in the town of Hampton on Interstate 95. Each turnpike service  
12 plaza is intended to be a full service rest area that may include a fueling station, food and beverage  
13 service, a convenience store, and a liquor and wine outlet. Any real estate acquired pursuant to this  
14 authority shall be exempt from the requirements of RSA 4:40. The value of the land to be acquired  
15 shall be based upon an independent appraisal. As part of this conveyance, the liquor commission  
16 shall retain title to sufficient land for the future construction of its liquor and wine outlets, which  
17 shall be exempt from future taxation or rent in perpetuity.

18 154 Department of Transportation; Rest Areas, Welcome Centers, and State Liquor Store Sites.  
19 In order to better serve the public while utilizing revenue-generating opportunities, the general  
20 court supports the idea of commercializing state liquor store sites along the highways and  
21 turnpikes. If deemed financially feasible, the commissioner of the department of transportation,  
22 subsequent to acquiring a fee simple interest in such state liquor store site's real property for  
23 consideration paid, is authorized to issue requests for proposals relative to the leasing,  
24 redevelopment and/or concession of these sites, including the use of public/private partnerships to  
25 develop and reconstruct the rest areas, welcome areas, and state liquor and wine outlets along the  
26 turnpikes and highways as may be necessary to provide full-service centers with food, liquor and  
27 wine sales, fuel, and other retail goods and services for the traveling public. Any proposal received  
28 shall be evaluated by a selection committee. The selection committee shall include members of the  
29 department of transportation, liquor commission, and department of business and economic affairs.  
30 The lease or contract for the redevelopment of said property shall be submitted for approval to the  
31 governor and executive council.

32 155 Liquor Commission; Proceeds From Sale of Land. All proceeds from the sale of any land

1 owned by the liquor commission for the purpose of constructing, operating, and maintaining a  
2 turnpike service plaza for motorists at the existing northbound and southbound state liquor and  
3 wine outlets in the town of Hampton on Interstate route 95 shall be deposited into the liquor  
4 commission fund pursuant to RSA 176:16 and shall be used exclusively to retire existing debt.

Draft Amendment to HB 517

1 Amend the bill by replacing section 122 with the following:

2

3 122 Highways; Definition. Amend RSA 229:1 to read as follows:

4 229:1 Highways Defined. Highways are only such as are laid out in the mode prescribed  
5 therefor by statute, or roads which have been constructed for *or are currently used for motor*  
6 *vehicle* public travel over land which has been conveyed to a city or town or to the state by deed of  
7 a fee or easement interest, or roads which have been dedicated to the public use and accepted by the  
8 city or town in which such roads are located, or roads which have been used as such for public  
9 travel, other than travel to and from a toll bridge or ferry, for 20 years prior to January 1, 1968, and  
10 shall include the bridges thereon.

Draft Amendment to HB 517

1 Amend the bill by replacing section 118 with the following:

2

3 118 Transportation; Definitions. Amend RSA 228:1, VII to read as follows:

4 VII. "Project" means any construction, reconstruction, alteration, or maintenance of any  
5 highway, bridge, **building, plant, fixture, facility** or other item directly related to transportation.  
6 The term shall not include construction, reconstruction, alteration, or maintenance of buildings,  
7 plants, fixtures, or facilities formerly administered through the department of transportation,  
8 division of public works, or matters managed by the department of administrative services, division  
9 of public works design and construction.

Sen. Bradley, Dist 3  
May 18, 2017  
2017-1876s  
06/01

Draft Amendment to HB 517

- 1        1 Department of Transportation; Town of Ossipee. The department of transportation shall take
- 2 all practical measures to alleviate safety issues at the intersection of Route 28 and Route 171 in the
- 3 town of Ossipee. Such measures shall include, but shall not be limited to, speed reduction and the
- 4 installation of a traffic light or rotary.

Draft Amendment to HB 517

- Page 2 -

2017-1876s

AMENDED ANALYSIS

1. Requires the department of transportation to address safety concerns at a certain intersection in Ossipee.

Draft Amendment to HB 517

1       1 New Subdivision; New Hampshire College Graduate Retention Incentive Partnership (NH  
2 GRIP). Amend RSA 12-A by inserting after section 67 the following new subdivision:

3               New Hampshire College Graduate Retention Incentive Partnership (NH GRIP)

4       12-A:68 Definitions. In this subdivision:

5               I. "Commissioner" means the commissioner of the department of resources and economic  
6 development.

7               II. "Department" means the department of resources and economic development.

8               III. "Eligible institution of higher education" means any public or private institution of  
9 higher education authorized to grant degrees in this state by the higher education commission  
10 pursuant to RSA 21-N:8-a.

11              IV. "Graduate" means a student who graduates from an eligible institution of higher  
12 education in May 2017 or thereafter.

13              V. "Incentive" means a monetary award given each year for 4 years by a participating  
14 employer to a graduate which the graduate may elect to be paid to the graduate or to an entity  
15 servicing the graduate's student loans.

16              VI. "Participating employer" means any person, firm, corporation, partnership, or  
17 association, the state, any political subdivision of the state, or any other entity which is engaged in  
18 a business or in providing services and which employs employees in connection with such business  
19 or services who enters into a participating employer agreement to provide an incentive to a  
20 graduate.

21              VII. "Participating employer agreement" or "agreement" means an agreement prepared  
22 jointly by the department of resources and economic development in consultation with the  
23 New Hampshire College and University Council and the Business and Industry Association of  
24 New Hampshire.

25       12-A:69 New Hampshire College Graduate Retention Incentive Partnership Established. There  
26 is established the New Hampshire college graduate retention incentive partnership (NH GRIP)  
27 which shall be administered by the department. The purpose of NH GRIP is to recruit and retain  
28 graduates from eligible institutions of higher education and provide incentives to those graduates to  
29 work in New Hampshire.

30       12-A:70 Requirements and Procedure. A graduate, who obtains employment with a  
31 participating employer who executes an agreement, shall receive an incentive of \$1,000 each year  
32 for the first 4 years of the graduate's employment with the participating employer. The agreement

1 shall be signed by an authorized agent of the participating employer. The participating employer  
2 shall retain a copy of each signed agreement in its files.

3 12-A:71 Advertising. The department shall, in cooperation with the Business and Industry  
4 Association of New Hampshire, the New Hampshire College and University Council, the  
5 New Hampshire Higher Educations Assistance Fund, and the New Hampshire Coalition for  
6 Business and Education, advertise to New Hampshire employers and New Hampshire college  
7 students the details of NH GRIP, through print and electronic media. The department shall  
8 maintain a list of employers who have a valid participating employer agreement and shall make the  
9 list available on the department's public Internet site as well as in writing.

10 12-A:72 Funding. For the biennium beginning July 1, 2019, and each biennium thereafter, the  
11 commissioner shall include any requests for appropriations related to NH GRIP in the biennial  
12 agency budget requests pursuant to RSA 9:4.

13 2 Appropriation. The sum of \$30,000 for the fiscal year ending June 30, 2018 and the sum of  
14 \$15,000 for the fiscal year ending June 30, 2019, are hereby appropriated to the department of  
15 resources and economic development for the purpose of advertising and disseminating information  
16 to New Hampshire college students and graduates regarding the New Hampshire college graduate  
17 retention and incentive partnership (NH GRIP) established in RSA 12-A:68 through RSA 12-A:72.  
18 The governor is authorized to draw a warrant for said sums out of any money in the treasury not  
19 otherwise appropriated.